

BOARD OF ZONING APPEALS
CITY OF MILWAUKEE

REGULAR MEETING – December 13, 2012
City Hall, Common Council Committee Room 301-B

MINUTES

PRESENT:

Chairwoman: Catherine M. Doyle (*voting on items 1 - 75*)

Members: Henry P. Szymanski (*voting on items 1 - 75*)
Donald Jackson (*voting on items 1 - 75*)
Martin E. Kohler (*voting on items 1 – 64, 66 - 75*)
Jose L. Dominguez (*voting on items 1 - 75*)

Alt. Board Members: Leni M. Siker (*present for items 1 - 75*)

START TIME: 2:10 p.m.

End Time: 5:30 p.m.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
1	32048 Dimensional Variance	Wisconsin Institute for Torah Study Property Owner Request to erect a wall sign that exceeds the maximum allowed display area (allowed 36 sq.ft. / proposed 58 sq.ft.).	3288 N. Lake Dr. A/K/A 3294 N. Lake Dr. 3rd Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
2	32143 Special Use	Rajendra Patel Shri Yamunaji, Inc.;Lessee Request to continue occupying the premises as a fast-food / carry-out restaurant.	683 S. Hawley Rd. 10th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
3	32200 Special Use	Tony Wojtecki Lessee Request to continue occupying the premises as a tavern and indoor recreation facility.	1753 S. Kinnickinnic Av. A/K/A 1753 S. Kinnickinnic Av. 24 12th Dist.
	Action:	Dismissed	
	Motion:	Henry Szymanski moved to dismiss the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
4	32067 Special Use	Let The Children Come Learning Academy Lessee Request to continue occupying the premises as a day care center for 37 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight.	4700 N. 76th St. 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof 	

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5	32174 Special Use	Kathryn Carter Lessee Request to continue occupying the premises as a social service facility.	6830 W. Villard Av. 300 A/K/A 6830 W. Villard Av. 2nd Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
6	32162 Special Use	Cafe Corazon George Mireles;Lessee Request to continue occupying the premises as a sit-down restaurant.	3129 N. Bremen St. A/K/A 3129 A N. Bremen St. 3rd Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code.</p> <p>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof</p>	

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7	32118 Special Use	St. John's Cathedral Rev. Jeffrey R. Haines;Property Owner Request to continue occupying the premises as a social service facility.	845 N. Van Buren St. A/K/A 630 E. Wells St. 4th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
8	32144 Special Use	Milwaukee and Kilbourn Parking Corp. Lessee Request to continue occupying the premises as a principal use parking lot. Action: Granted 2 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof	325 E. Kilbourn Av. 4th Dist.
9	32160 Special Use	The Northwestern Mutual Life Insurance Company; Lessee Request to continue occupying the premises as a principal use parking lot. Action: Granted 2 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That this Special Use is granted for a period of two (2) years, commencing with the date hereof	822 N. Van Buren St. A/K/A 832 N. Van Buren St. 4th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
10	32171 Special Use	Marquette Delta Corp Property Owner	1615 W. Kilbourn Av. 4th Dist.
		Request to continue occupying the premises as a fraternity house.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof</p>	

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11	32172 Special Use	Marquette Delta Corp Property Owner	845 N. 16th St. A/K/A 845 N. 16th St. 4 4th Dist.
		Request to continue occupying the premises as a fraternity house.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof</p>	

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12	32154 Special Use	Atiq U. Rehman Fox River Mart LLC;Property Owner	9025 W. Appleton Av. 5th Dist.
		Request to continue occupying the premises as a motor vehicle filling station.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code.</p> <p>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>6. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises</p> <p>7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>8. That landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>9. That the applicant does not have outdoor storage or display of products or merchandise.</p> <p>10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>11. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
13	31994 Special Use	John Gray Property Owner	3815 N. Teutonia Av. 6th Dist.
		Request to continue occupying the premises as an assembly hall.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows remain as transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>7. That the applicant supply a 24-hour contact phone number to the Board office and any interested party that requests it.</p> <p>8. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Assembly A-3 occupancies and complies with all zoning conditions and building code requirements.</p> <p>9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
14	32122 Special Use	Freddie Jones Lessee Request to continue occupying the premises as an outdoor storage facility.	3408 N. Port Washington Av. A/K/A 3410 N. Port Washington Av. A 6th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
15	32138 Special Use	Leola Williams Property Owner	3565 N. Martin L King Jr Dr. A/K/A 3565 N. Green Bay Av. 6th Dist.
		Request to occupy the premises as a social service facility.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>6. That the driveway on North 7th Street either be removed and restored to City of Milwaukee specifications or a legal, paved parking space be constructed.</p> <p>7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business-B occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
16	32069 Special Use	<p>Erma Slade Lessee</p> <p>Request to continue occupying the premises as a day care center for 50 children per shift infant to 12 years of age, operating Monday - Friday 6:00 a.m. - midnight.</p> <p>Action: Granted 5 yrs.</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 7. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 8. That a loading zone be obtained and maintained on West Center Street. 9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements. 10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof 	<p>4704 W. Center St. A/K/A 4710 W. Center St. 7th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
17	32195 Special Use	Redevelopment Authority of the City of Milwaukee Benjamin Timm;Property Owner	2725 W. Hopkins St. A/K/A 2737 W. Hopkins St. 7th Dist.
		Request to continue occupying the premises as a facility engaged in the processing and recycling of mined materials.	
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of two (2) years, commencing with the date hereof</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
18	32084 Special Use	Laura O Luna Lessee Request to continue occupying the premises as a general office and general retail establishment.	2635 W. Burnham St. A/K/A 2633 W. Burnham St. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows are maintained in a neat and orderly manner. 5. That signage must meet the signage standards of s.295-505-5 of the Milwaukee Zoning Code. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof 	

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19	32137 Special Use	Jamal Rahman CompCell, LLC; Lessee	3430 W. National Av. A/K/A 3428 A W. National Av. 8th Dist.
		Request to occupy a portion of the premises as a second-hand sales facility.	
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the storefront windows remain as transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
20	32146 Special Use	Socorro Villalobos Ana Rojas;Property Owner	1732 S. Muskego Av. 8th Dist.
		Request to continue occupying the premises as a day care center for 28 children per shift infant to 12 years of age, operating Monday - Friday 5:00 a.m. - midnight.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M.</p> <p>6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use</p> <p>7. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>8. That a loading zone be obtained and maintained on South Muskego Avenue.</p> <p>9. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements.</p> <p>10. That this Special Use is granted for a period of five (5) years, commencing with the date hereof</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
21	32163 Special Use	Walgreens Co. Lessee Request to continue occupying the premises as a general retail establishment with a drive-through facility.	2410 W. Forest Home Av. A/K/A 2424 W. Forest Home Av. 8th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That this Special Use is granted for a period of fifteen (15) years, commencing with the date hereof	
22	32175 Special Use	Gerald Mutza Property Owner Request to continue occupying the premises as a motor vehicle repair facility (this is a new operator)	2617 S. 31 st St. 8th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned by an interested party and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
23	32110 Special Use	<p>Gwendolyn Owens Lessee</p> <p>Request to continue occupying the premises as a day care center for 75 children infant to 12 years of age, operating Monday - Friday 5:00 a.m. - 11:00 p.m.</p> <p>Action: Granted 5 yrs.</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 7. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Educational -E occupancies and complies with all zoning conditions and building code requirements. 8. That this Special Use is granted for a period of five (5) years, commencing with the date hereof 	<p>8842 N. Swan Rd. A/K/A 8834 N. Swan Rd. 9th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
24	32120 Special Use	Anita Allen Property Owner Request to continue occupying the premises as a group home for 5 occupants. Action: Granted 5 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof	6537 W. Spokane St. 9th Dist.
25	32191 Dimensional Variance	Family Dollar Stores of Wisconsin, Inc. Lessee Request to erect a wall sign that exceeds the maximum allowed display area (allowed 32 sqft. / proposed 100 sqft.). Action: Granted Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land.	6000 W. Silver Spring Dr. A/K/A 6024 W. Silver Spring Dr. 9th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
26	32105 Special Use	Paul S Hansen Property Owner Request to continue occupying the premises as a motor vehicle repair facility.	5714 W. North Av. A/K/A 5710 W. North Av. 10th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>5. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>6. That no work or storage of vehicles occurs in the public right-of-way.</p> <p>7. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris.</p> <p>8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>9. That all repair work is conducted inside the building.</p> <p>10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof.</p>	
27	32116 Dimensional Variance	St. Vincent Palloti Congregation Property Owner Request to divide the existing lot and to allow a new lot that does not meet the minimum required lot area	174 N. 77 th St. 10th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of staff and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
28	32142 Special Use	Current Initiatives Counseling Service LLC Lashaunda Davis;Lessee	6815 W. Capitol Dr. 207 A/K/A 6815 W. Capitol Dr. 102 10th Dist.
		Request to continue occupying a portion of the premises as a social service facility.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
29	32183 Special Use	Border Patrol Wisconsin, Inc. Richard Lepping;Property Owner Request to continue occupying the premises as a fast-food / carry-out restaurant with a drive-through facility.	3191 S. 76th St. A/K/A 3183 S. 76th St. 11th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That there be no garbage pickup before 8:00 A.M. 8. That landscaping and screening is maintained in a manner that meets the intent of city code. Specifically that additional trees & shrubs are planted along the S. 76th St frontage per the standards of per the standards of city code section 295-405 for Type 'A' landscaping. 9. That these Special Uses are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
30	32115 Special Use	Zeus Rodriguez Lessee Request to increase the grade of students from 4th - 8th to 3rd - 8th grades, and to continue occupying the premises as a school for 150 students operating Monday - Friday 7:30 a.m. - 5:30 p.m.	929 W. Historic Mitchell St. A/K/A 931 W. Historic Mitchell St. 12th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Educational occupancies and complies with all zoning conditions and building code requirements.</p> <p>5. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on May 26, 2015.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
31	32119 Special Use/ Dimensional Variance	Milwaukee Fix LLC Juli Kaufmann;Property Owner Request to continue occupying the premises as a health clinic that does not meet the minimum required number of off-street parking spaces (required 11 / proposed 0).	538 S. 2nd St. A/K/A 130 W. Bruce St. 12th Dist.
	Action:	Granted 15 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code.</p> <p>5. That this Special Use and this Variance are granted for a period of fifteen (15) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
32	32180 Use Variance	Christ Church, Milwaukee Richard E. Gaeth;Property Owner	915 E. Oklahoma Av. 14th Dist.
		Request to allow an automatic changeable message sign.	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That all illumination is turned off between the hours of 10 p.m. and 7 a.m.</p> <p>5. That the display area not change more frequently than once every 30 seconds.</p> <p>6. That this Variance is granted to run with the land.</p>	
33	32196 Dimensional Variance	Family Dollar Stores of Wisconsin, Inc. Lessee	3045 S. 13th St. A/K/A 3045 S. 13th St. 2 14th Dist.
		Request to erect a wall sign that exceeds the maximum allowed display area (allowed 25 sqft. / proposed 100 sqft.).	
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Variance is granted to run with the land.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
34	32098 Special Use	Black Health Coalition of Wisconsin Lessee	3020 W. Vliet St. 15th Dist.
		Request to continue occupying a portion of the premises as a social service facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in a manner that meets the intent of city code. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
35	32099 Special Use	<p>Wisconsin African American Women's Center Property Owner</p> <p>Request to continue occupying the premises as a community center.</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in a manner that meets the intent of city code. 6. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	3020 W. Vliet St. 15th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
36	32151 Special Use/ Dimensional Variance	E & A Recycling Property Owner Request to continue occupying the premises as an indoor and outdoor salvage operation that does not meet the minimum required landscaping.	2100 N. 30th St. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That screening is implemented and maintained in accordance with the landscape plan submitted to the board on December 28, 2010.</p> <p>5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Storage S-2 occupancies and complies with all zoning conditions and building code requirements.</p> <p>6. That these Special Uses and this Variance are granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
37	32184 Special Use	Next Chapter Living Center Tanyika Taylor; Frank Taylor; Lessee Request to continue occupying the premises as a group home for 6 occupants.	2767 N. 16th St. A/K/A 2769 N. 16th St. 15th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.	
38	32192 Dimensional Variance	Family Dollar Stores of Wisconsin, Inc. Lessee Request to erect a wall sign that exceeds the maximum allowed display area (allowed 25 sqft. / proposed 100 sqft.).	1201 N. 35th St. A/K/A 1201 N. 35th St. 8 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land.	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
39	31919 Special Use	New Blood Covenant Pastor Sandra E. Scott;Property Owner Request to continue occupying the premises as a religious assembly hall and social service facility.	5235 N. 35th St. A/K/A 5237 N. 35th St. 7 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the storefront windows remain as transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 6. That the applicant satisfies DNS order #9816801 within 30 days of Board approval. 7. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
40	32170 Special Use	Hadeer S Matloub Property Owner	4240 W. Silver Spring Dr. 1st Dist.
		Request to construct an addition to the building and to occupy the premises as a motor vehicle sales facility.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That within 90 days of Board approval of the special use the petitioner must meet with the Zoning Administration Group staff on a plan that uses decorative bollards or other materials to screen the W. Silver Spring Dr frontage.</p> <p>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Storage S-2 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>7. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
41	32103 Special Use	<p>Firstborn Learning Center Property Owner</p> <p>Request to increase the number of children from 37 to 40 per shift and to continue occupying the premises as a day care center for children infant to 12 years of age operating Monday - Friday 6:00 a.m. - midnight.</p> <p>Action: Granted</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That a loading zone be obtained and maintained on North 18th Street. 8. That the petitioner obtains a new occupancy certificate to account for the increased number of children by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements. 9. That the facility does not exceed the capacity established by the State Department of Children and Families. 10. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on June 23, 2015. 	<p>4960 N. 18th St. A/K/A 4959 N. Green Bay Av. 1st Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
42	32135 Special Use	Ronny Stroli Property Owner	4087 N. Green Bay Av. 1st Dist.
		Request to continue occupying the premises as a motor vehicle sales facility.	
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is implemented and maintained in a manner that is consistent with city code. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 7. That all repair work is conducted inside of the building. 8. That no sales vehicles are displayed in the public right-of-way. 9. That no work or storage of vehicles occurs in the public right-of-way. 10. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
43	32141 Special Use	<p>Caprice Mathies-Hill More Than Conquerors;Property Owner</p> <p>Request to increase the number of students from 37 to 40 grades K3 - K5 and to continue occupying the premises as a school operating Monday - Friday 8:00 a.m. - 4:00 p.m., and as a day care center for 40 children per shift infant to 12 years of age, operating Monday - Saturday 6:00 a.m. - 8:00 p.m .</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson/.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hrs/ day. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of Board approval of the special use. 7. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 8. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That a loading zone be obtained and maintained on West Villard Avenue. 10. That the petitioner obtains a new occupancy certificate to account for the increased number of children by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements. 11. That the facility does not exceed the capacity established by the State Department of Children and Families. 12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	3727 W. Villard Av. 1st Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
44	32152 Special Use	Asem Zaid Lessee Request to continue occupying the premises as a motor vehicle sales & repair facility. Action: Granted 10 yrs. Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson. Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained. Conditions of Approval: <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that is consistent with city code. 5. That signage must conform to the sign standards of s. 295-605-5 of the Milwaukee Zoning Code. 6. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 7. That no work or storage of vehicles occurs in the public right-of-way. 8. That no sales vehicles are displayed in the public right-of-way. 9. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 10. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 11. That all repair work is conducted inside the building. 12. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	4210 W. Silver Spring Dr. 1st Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
45	32187 Use Variance	<p>Ace Cash Express, Inc. Lessee</p> <p>Request to continue occupying a portion of the premises as a currency exchange facility and payday loan agency.</p>	<p>1935 W. Silver Spring Dr. A/K/A 1993 W. Silver Spring Dr. 1st Dist.</p>
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>6. That the storefront windows remain as transparent glass in accordance with the glazing standards of s295-605-2-i-3 of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>8. That this Variance is granted for a period of ten (10) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
46	32164 Special Use	Taj International Petroleum Co. Hardeet S. Walia;Property Owner	4057 N. Green Bay Av. 1st Dist.
		Request to construct an addition to the existing Board approved motor vehicle filling station.	
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the District and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
47	32190 Dimensional Variance	Family Dollar Services of Wisconsin, Inc. Lessee Request to erect a wall sign that exceeds the maximum allowed display area (allowed 32 sqft. / proposed 100 sqft.).	2601 W. Hampton Av. 1st Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That this Variance is granted to run with the land.	
48	31831 Special Use/ Dimensional Variance	Jeji Family Inc. Property Owner Request to allow a roof sign that exceeds the maximum allowed display area (allowed 32 sq.ft. / proposed 126 sq.ft.) and to continue occupying the premises as a motor vehicle filling station, sales and repair facility	8712 W. Lisbon Av. 5th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
49	31924 Special Use	<p>Gregory Grice Sr. Lessee</p> <p>Request to occupy the premises as a motor vehicle repair facility.</p> <p>Action: Granted 2 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That within 60 days of Board approval of the special use the petitioner must meet with the Zoning Administration Group to create a signage plans which meet the sign standards of s.295-605 of the Milwaukee Zoning Code. The petitioner must then submit a signage plan to the Board of Zoning Appeals for Zoning Administration Group review and approval. Compliance with the signage ordinance may result in a reduction of the amount of signage currently on the building 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That the site plan received on December 5, 2012 is approved. 7. That parked vehicles or other items do not block either driveway. Please note that blocked driveways are considered unused driveways. 8. That unused driveways be removed and restored to City of Milwaukee specifications. 9. That no work on storage of vehicles occurs in the public right-of-way. 10. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 11. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 12. That all repair work is conducted inside the building. 13. That the applicant obtains a Waste Tire Generator License from DNS prior to occupancy. Contact 286-3280 for more information. 14. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	844 W. Atkinson Av. 6th Dist.

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
50	31999 Special Use	Tamika Godbold Lessee Request to occupy the premises as a transitional living facility for 4 occupants.	408 W. Melvina St. A/K/A 408 A W. Melvina St. 6th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day.</p> <p>6. That this Special Use is granted for a period of two (2) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
51	32036 Special Use	Lakeia Jones Property Owner Request to occupy the premises as a social service facility.	4001 W. Capitol Dr. 7th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code.</p> <p>5. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business-B occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>6. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	
52	32085 Special Use	Nejia Nolden Property Owner Request to occupy the premises as a 24 hour day care center for 8 children per shift infant to 13 years of age, operating Monday - Sunday.	4644 N. 53rd St. 7th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the District and will be rescheduled for the next available hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
53	32128 Dimensional Variance	<p>Chuck Thorn Lessee</p> <p>Request to occupy the premises as a permitted outdoor storage facility that does not meet the minimum required landscaping.</p>	<p>3125 N. 31st St. A/K/A 3100 A W. Burleigh St. 7th Dist.</p>
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the applicant and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
54	32189 Special Use/ Dimensional Variance	John Brodersen Property Owner Request to construct a fast-food / carry-out restaurant with a drive-through facility, and erect a monument sign that exceeds the maximum allowed display area (allowed 50 sqft. / proposed 54.5 sqft.).	4209 W. Greenfield Av. A/K/A 1421 S. 42nd St. 8th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Hnery Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That a revised landscape and screening plan is submitted to the Board of Zoning Appeals within 60 days of Board approval of the special use. The plan must be approved by the Zoning Administration Group prior to the issuance of any permits. Specifically the plan must include a decorative metal fence with brick masonry piers on the front portion of the site, extending from the northwest corner of the site along the Greenfield Avenue frontage and returning on 42nd Street to frame the pedestrian walkway 7. That landscaping and screening in accordance a landscape plan that has been approved by the Zoning Administrative Group is installed within 90 days of occupancy and is maintained in a manner that meets the intent of city code. 8. That a revised sign plan is submitted to the Board of Zoning Appeals within 60 days of Board approval of the special use. Specifically the freestanding sign proposed for the north east corner of the premises should be revised to be incorporated into the requested landscape element. 9. That a revised site plan is submitted to the Board of Zoning Appeals within 60 days of Board approval of the special use. The revised site plan must include an identifiable pedestrian link to the building from W. Greenfield Avenue and be made of a material that is distinguishable from the material used for the parking lot. 10. That driveways are constructed to meet City of Milwaukee specifications. 11. That this Special Use and this Variance are granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
55	31849 Special Use	Jawad Hamayal Lessee Request to occupy a portion of the premises as a cash-for-gold business.	823 S. Layton Bl. A/K/A 725 S. Layton Bl. 8th Dist.
	Action:	Adjourned	
	Motion:	Martin Kohler moved to adjourn the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
56	32096 Special Use	Albert M Holmes Lessee	7120 W. Good Hope Rd. 9th Dist.
		Request to occupy the premises as a social service facility.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That landscaping and screening is maintained in a manner that meets the intent of city code.</p> <p>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. Specifically that the size of the existing type 'B' freestanding sign structure be reduced to a maximum height of 14 feet and a maximum sign area of 32 square feet.</p> <p>6. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Business occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>8. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
57	32109 Dimensional Variance/ Special Use	McDonald's Corporation Lessee Request to raze and rebuild the fast-food / carry-out restaurant and to erect two wall signs that exceeds the maximum number of signs per facade segment (allowed 1 / proposed 2), erect five freestanding signs that exceeds the maximum allowed number of signs (allowed 1 / proposed 5) and to erect two menu boards that exceeds the maximum allowed square footage and height (allowed 30 sqft. / proposed 44 sqft.) (allowed 6 ft. / proposed 6 ft. 9 inches).	8100 W. Brown Deer Rd. 9th Dist.
	Action:	Granted	
	Motion:	Donald Jackson moved to grant the special use appeal. Seconded by Martin Kohler. Donald Jackson moved to grant the variance appeals. Seconded by Martin Kohler (vote: 3/1/1)	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. 5. That this use not operate between the hours of Midnight and 5:00 A.M. unless a 24-hour establishment license is obtained from the Common Council of the City of Milwaukee per s. 84-7 of the Milwaukee code of ordinances. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That a revised landscape and screening plan meeting the intent of city code section 295-405 for is submitted to the Board of Zoning Appeals within 90 days of Board approval of the special use. Specifically the landscape plan must include 2 rows of shrubs along the W. Brown Deer Rd frontage. The plan must be approved by the Zoning Administration Group prior to the issuance of any permits. 8. That landscaping and screening is implemented and maintained in a manner that meets the intent of city code. 9. That a revised site plan is submitted to the Board of Zoning Appeals within 90 days of Board approval of the special use. The site plan must include an identifiable pedestrian link from the building to the sidewalk along W. Brown Deer Rd. The pedestrian link must be made of non-asphalt materials per s295-605-4-d of the Milwaukee Zoning Code. 10. That the concrete curbs that are shown projecting into the West Brown Deer Road public right-of-way be terminated at the property line. 11. That these Variances are granted to run with the land. 12. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on July 14, 2018. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
58	32005 Special Use	<p>Scrub Appleton LLC, Scrub-A-Dub Mary C. Mc Intosh;Property Owner</p> <p>Request to continue occupying the premises as a car wash.</p> <p>Action: Granted 10 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That landscaping and screening is maintained in a manner that meets the intent of city code. 5. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 6. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. 7. That there be no work conducted in the public right of way. 8. That there be no vehicles stored in the public right of way. 9. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	<p>7315 W. Appleton Av. A/K/A 7327 W. Appleton Av. 10th Dist.</p>
59	32161 Use Variance	<p>Ali Omar Ismail Lessee</p> <p>Request to occupy a portion of the premises as a cash-for-gold business.</p> <p>Action: Adjourned</p> <p>Motion: This matter has been adjourned at the request of staff and will be rescheduled for the next available hearing.</p> <p>Vote: --</p> <p>Conditions of Approval: --</p>	<p>3425 W. Oklahoma Av. 11th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
60	32010 Special Use	Mohammad Atshan Lessee Request to continue occupying the premises as a general retail establishment.	1239 S. 12th St. A/K/A 1235 S. 12th St. 12th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary.</p> <p>5. That signage is to be located within the storefront windows and/or be located in the sign band above the storefront windows, or the existing sign band on the south side of the building. All other signage must be removed.</p> <p>6. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit.</p> <p>7. That this Special Use is granted for a period of three (3) years, commencing with the date hereof.</p>	
61	32017 Special Use	Miguel Arvelo Property Owner Request to continue occupying the premises as an assembly hall.	935 W. National Av. A/K/A 939 W. National Av. A 12th Dist.
	Action:	Adjourned	
	Motion:	Donald Jackson moved to adjourn the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
62	32062 Special Use	Tender Car Auto Sales LLC Lessee Request to add a motor vehicle body shop and continue occupying the premises as a motor vehicle sales, repair, and car wash facility.	1825 S. Kinnickinnic Av. A/K/A 1823 S. Kinnickinnic Av. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That all car wash activity is conducted inside of the building. 6. That all wastewater is contained on site. 7. That a revised landscape and screening plan is submitted to the Board of Zoning Appeals and approved by the Zoning Administration Group within 60 days of Board approval of the special use. 8. That landscaping and screening per an approved plan is installed by June 1, 2013 9. That no work or storage of vehicles occurs in the public right-of-way. 10. That no sales vehicles are displayed in the public right-of-way. 11. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 12. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 13. That all repair work is conducted inside the building. 14. That no painting of vehicles or vehicle parts occurs on site. 15. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
63	32092 Special Use	Ernesto De Leon Lessee Request to occupy a portion of the premises as a second-hand sales facility.	1009 W. Historic Mitchell St. A/K/A 1007 W. Historic Mitchell St. 12th Dist.
	Action:	Granted 2 yrs.	
	Motion:	Henry Szymanski moved grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the storefront windows remain as transparent vision glass and are maintained in an attractive manner. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That the applicant does not have outdoor storage or display of products or merchandise. 7. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 8. That this Special Use is granted for a period of two (2) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
64	32185 Special Use	Ener-Con Companies, Inc. Michael Dilworth;Prospective Buyer	209 S. 1st St. 12th Dist.
		Request to occupy the premises as a principal parking lot.	
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That this Special Use is granted for a period of five (5) years, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
65	32075 Special Use	Paul & Amanda Lavoe Property Owner Request to continue occupying the premises as a motor vehicle repair and sales facility (repair of motorcycles, cars and trucks).	1531 S. 1st St. A/K/A 1533 S. 1st St. 12th Dist.
	Action:	Granted 5 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Jose Dominguez	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-805 of the Milwaukee Zoning Code. 5. That within 60 days of Board approval of the special use the petitioner must meet with the Zoning Administration Group staff to evaluate the feasibility of landscaping on this premises. The Zoning Administration Group staff may require that a landscape plan that attempts to meet the intent of City code be submitted and implemented. 6. That no work or storage of vehicles occurs in the public right-of-way. 7. That no sales vehicles are displayed in the public right-of-way. 8. That the applicant has no outdoor storage of auto parts, tires, nuisance vehicles or other junk and debris. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That all repair work is conducted inside the building. 11. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
66	32186 Special Use	Third Coast Inn, Inc. Carolyn Weber, President; Lessee Request to occupy the premises as a bed and breakfast.	602 S. 3rd St. A/K/A 255 W. Bruce St. 12th Dist.
	Action:	Adjourned	
	Motion:	This matter was adjourned at the request of the Alderman of the District and will be rescheduled for the next available public hearing.	
	Vote:	--	
	Conditions of Approval:	--	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
67	32030 Special Use	Ish Dhawan Lessee Request to continue occupying the premises as a motor vehicle filling station.	1930 W. Morgan Av. A/K/A 3468 Adj S. 20th St. 13th Dist.
	Action:	Granted 10 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Henry Szymanski.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That no additional signage may be erected on the site unless it meets the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening is maintained in a manner that meets the intent of city code. 6. That the petitioner take all measures necessary to control litter, loitering, and loud noise on the premises, including, but not limited to, hiring private personnel if necessary. 7. That glass tubes (i.e. type associated with individually sold flowers) and any other item deemed to be drug paraphernalia as defined by S.106-36 of the Milwaukee Code of Ordinances or Section 961.571 of the Wisconsin State Statutes not be sold on the premises. 8. That the applicant does not have outdoor storage or display of products or merchandise. 9. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 10. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
68	32136 Special Use	Nafez Al-Debbah Prospective Buyer	3821 S. 27th St. 13th Dist.
		Request to occupy the premises a motor vehicle sales facility.	
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That landscaping and screening in accordance with the landscape plan submitted to the Board of Zoning Appeals on November 13, 2012 is installed by June 1, 2013 and maintained in a manner that meets the intent of city code. 6. That no sales vehicles are displayed in the public right-of-way. 7. That no work or storage of vehicles occurs in the public right-of-way. 8. That the applicant has no outdoor banners or other advertising except signage that has been approved and installed according to the requirements of a sign permit. 9. That site illumination must meet the lighting standards of s.295-409 of the Milwaukee Zoning Code. Specifically that illumination not exceed one (1) foot-candle along any property line that abuts a residential zoning district and not exceed five (5) foot-candles along any other property line. 10. That the petitioner submit a photometric plan for approval by the Zoning Administrative Group within 90 days of occupancy. 11. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
69	32051 Special Use	Latasha Hines Adult Day Services of Wisconsin, LLC; Lessee Request to continue occupying the premises as an adult day care center.	206 E. Lincoln Av. A/K/A 210 E. Lincoln Av. 14th Dist.
	Action:	Granted 1 yrs.	
	Motion:	Martin Kohler moved to grant the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<p>1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations.</p> <p>2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof.</p> <p>3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained.</p> <p>4. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner.</p> <p>5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code for LB2 zoning districts.</p> <p>6. That the petitioner takes all measures necessary to control litter, loitering and loud noise on the premises, including, but not limited to, hiring private personnel.</p> <p>7. That the applicant submit a contact name and number that can be directly reached 24 hours a day and 7 days a week to all interested parties.</p> <p>8. That the applicant minimize their operation to Monday - Friday with no weekend hours.</p> <p>9. That the building is made ADA accessible.</p> <p>10. That the applicant obtain a DPW permit for any work in the public right-of-way, including any modifications made in the public sidewalk area to create ADA accessibility for the building.</p> <p>11. That a Special Privilege be obtained from the City of Milwaukee Common Council to allow any accessibility device, such as a barrier free access ramp, to occupy the public right-of-way. This condition is only required if modifications for accessibility are made in the public right-of-way.</p> <p>12. That the petitioner obtains an occupancy certificate by having all required inspections, complies with current State commercial building code for Institutional I-4 occupancies and complies with all zoning conditions and building code requirements prior to occupancy.</p> <p>13. That this Special Use is granted for a period of one (1) year, commencing with the date hereof.</p>	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
70	31766 Special Use	LaQuisha Hanna Lessee Request to occupy the premises as a day care center for 30 children per shift infant to 12 years of age, operating 7:00 a.m. - 11:00 p.m. Monday - Sunday.	2806 W. Lisbon Av. A/K/A 2806 A W. Lisbon Av. 15th Dist.
	Action:	Granted 3 yrs.	
	Motion:	Donald Jackson moved to grant the appeal. Seconded by Martin Kohler.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That a contact name and phone number be provided to the Board office within ten days of the issuance of this written decision. The phone number must be available 24 hours a day. 8. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 9. That the applicant apply for a loading zone on West Lisbon Avenue. 10. That the applicant restricts the daycare center to the first floor of the premises. 11. That the facility does not exceed a capacity of 30 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 30 children. 12. That this Special Use is granted for a period of three (3) years, commencing with the date hereof. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
71	32034 Special Use	Angela Cherry-Austin Lessee Request to occupy a portion of the premises as a 24 hour day care center for 50 children per shift infant to 13 years of age, operating Monday - Friday.	2245 N. 24th Pl. A/K/A 2457 W. North Av. 15th Dist.
	Action:	Dismissed	
	Motion:	Martin Kohler moved to dismiss the appeal. Seconded by Jose Dominguez.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	--	
72	32054 Use Variance/ Dimensional Variance	Gary Plassmeyer Property Owner Request to allow a barbed-wire fence that exceeds the maximum allowed height (allowed 4 ft. / proposed 8 ft.).	1634 W. North Av. A/K/A 1632 W. North Av. 15th Dist.
	Action:	Granted	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the applicant obtain a special privilege for the gate swings projecting into the east-west alley abutting the property. 5. That these Variances are granted to run with the land. 	

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
73	32125 Special Use	<p>Doaj's Prestige of Special Education LLC Lessee</p> <p>Request to increase the number of children from 18 to 30 per shift, to increase the days of operation from Monday - Friday to Monday - Sunday, and continue occupying the premises as a 24 hour day care center for children infant to 13 years of age.</p> <p>Action: Granted</p> <p>Motion: Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 5. That the outdoor play area is not utilized before 9:00 A.M. or after 8:00 P.M. 6. That the petitioner submit a copy of the State of Wisconsin day care license to the Board of Zoning Appeals within 60 days of State issuance of the license. 7. That the storefront windows remain as transparent glass per s295-605-2-i-3-c of the Milwaukee Code of Ordinances and are maintained in an attractive manner. 8. That the petitioner obtains a new occupancy certificate to account for the increased number of children by having all required inspections, complies with current State commercial building code for institutional occupancies and complies with all zoning conditions and building code requirements prior to occupancy. 9. That the facility does not exceed a capacity of 30 children, or does not exceed the capacity established by the State Department of Children and Families if required to be less than 30 children. 10. That this Special Use is granted for a period of time commencing with the date hereof, and expiring on December 8, 2014. 	<p>3828 W. Lisbon Av. A/K/A 3826 W. Lisbon Av. 15th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
74	32131 Special Use	<p>Unity Gospel House of Prayer Property Owner</p> <p>Request to occupy the premises as a community center.</p> <p>Action: Granted 5 yrs.</p> <p>Motion: Donald Jackson moved to grant the appeal. Seconded by Jose Dominguez.</p> <p>Vote: 4 Ayes, 0 Nays, 1 C. Doyle Abstained.</p> <p>Conditions of Approval:</p> <ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That the petitioner build in accordance with the façade plan submitted to the Board of Zoning Appeals on December 7, 2012 or other façade plan as approved by the Zoning Administration Group. 5. That signage must meet the signage standards of s.295-605 of the Milwaukee Zoning Code. 6. That the applicant provide an ADA accessible building entrance. 7. That a Special Privilege be obtained from the City of Milwaukee Common Council to allow the backup driveway, steps and downward stairs to continue to occupy the public right-of-way or to allow a barrier free access ramp, if required, to occupy the public right-of-way. 8. That a Department of Public Works (DPW) permit is obtained for any work in the public right-of-way, including, but not limited to, occupying the sidewalk area to perform work on the building facade & windows, constructing facilities in the public right-of-way for an accessible building entrance, or modifying any of the existing encroachments. 9. That this Special Use is granted for a period of five (5) years, commencing with the date hereof. 	<p>1748 N. 13th St. 15th Dist.</p>

<u>Item No.</u>	<u>Case No./ Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
75	32127 Special Use/ Dimensional Variance	Astronautics Corp of America Property Owner Request to occupy the premises as a parking lot that does not meet the minimum required landscaping.	4070 N. 23rd St. 1st Dist.
	Action:	Granted 10 yrs.	
	Motion:	Henry Szymanski moved to grant the appeal. Seconded by Donald Jackson.	
	Vote:	4 Ayes, 0 Nays, 1 C. Doyle Abstained.	
	Conditions of Approval:	<ol style="list-style-type: none"> 1. That the building and premises shall, in all other respects, comply with applicable building and zoning code regulations. 2. That any permits required to execute the approved plans be obtained within one (1) year of the date hereof. 3. That the Plan of Operation and all plans as submitted to the Board, be fully complied with and maintained. 4. That these Variances are granted to run with the land. 5. That this Special Use is granted for a period of ten (10) years, commencing with the date hereof. 	

Other Business:

Board member Martin Kohler moved to approve the minutes of the November 8, 2012 meeting. Seconded by Board member Henry Szymanski. Unanimously approved.

The Board set the next meeting for January 17, 2012.

Board member Henry Szymanski moved to adjourn the meeting at 5:30 p.m.. Seconded by Board member Martin Kohler. Unanimously approved.

BOARD OF ZONING APPEALS

Secretary of the Board

<u>Item</u> <u>No.</u>	<u>Case No./</u> <u>Case Type</u>	<u>Description</u>	<u>Premises Address/Ald. Dist.</u>
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